**EUROPEAN UNION - SERBIA
STABILISATION and ASSOCIATION
PARLIAMENTARY COMMITTEE (SAPC)**

8th Meeting

13-14 June 2018
Strasbourg

**DECLARATION and RECOMMENDATIONS**

The European Union-Serbia Stabilisation and Association Parliamentary Committee (SAPC) held its eighth meeting on 13-14 June 2018, in Strasbourg, under the co-chairmanship of Mr Eduard KUKAN for the European Parliament Delegation and Mr Vladimir ORLIĆ for the National Assembly of Republic of Serbia Delegation.

It exchanged views with:

* **Mrs Emilia KRALEVA,** Deputy-Minister of Foreign Affairs
on behalf of the Bulgarian Presidency-in-Office of the Council,
* **Ms Genoveva RUIZ CALAVERA**, Director for Western Balkans,
Directorate General for Neighbourhood and Enlargement Negotiations,
on behalf of the European Commission,
* **Ms Anja ROVIĆ**, State Secretary, Ministry of European Integration
on behalf of the Government of Serbia,
* **Mr Eduard AUER**, Head of Western Balkans Division,
on behalf of the European External Action Service.

The members of the Stabilisation and Association Parliamentary Committee addressed the following subjects:

* State of play of the accession negotiations and EU-Serbia relations;
* Developments under the Negotiating Chapter 23, including judiciary, constitutional reform, fundamental rights and freedom of media;
* Developments in economy;
* Recent developments in relations between Belgrade and Pristina;
* Foreign, security and defense policies and cooperation;

The Stabilisation and Association Parliamentary Committee, in accordance with Rule 7 of its Rules of Procedure and Article 125 of the EU-Serbia Stabilisation and Association Agreement, addressed the following Declaration and Recommendations to the Stabilisation and Association Council and to the institutions of Serbia and of the European Union:

1. Welcomed the continued progress made in the accession negotiations, bringing the total number of chapters opened to 12, two of which have been provisionally closed; recalled that the country’s consistent progress under rule of law chapters 23 and 24 and in the process of normalisation of relations under chapter 35 remained essential for the overall pace of the negotiating process, in line with the Negotiating Framework, and called for tangible and sustained progress in this regard; called on the Council and the Commission to support opening of additional technically prepared chapters and underlined the need for informed, transparent and constructive public debates on the EU, its institutions and the implications of membership; called the European Commission and the government of Republic of Serbia to continue their coordinated efforts on increasing the visibility of EU funded projects in order to continuously strengthen the citizens’ awareness of the practical results of European integration; supported Serbia’s 2025 perspective, which should be feasible once Serbia intensifies its reforms in coming years;
2. Welcomed EU facilitation of dialogue between Belgrade and Pristina at highest political level through High Representative/Vice President Mogherini and joint work on full implementation of Brussels agreement in order to achieve a comprehensive normalisation of relations in the form of a legally binding agreement; expressed concern on absence of progress at the technical level of dialogue; called to move forward with the full implementation of all agreements reached in the EU-facilitated dialogue between Belgrade and Pristina, in good faith and in a timely manner, and in particular urged to establish the Association/Community of Serb-majority Municipalities and implement the agreement on energy; expressed serious concern at recent tensions and use of force and stressed the need to refrain from any action, provocative steps or unhelpful rhetoric that might jeopardise the progress achieved so far and hamper the normalisation process;
3. Noted Serbia's continued implementation of reforms which supported further recovery of the economy and generated new employment; welcomed that Serbia had made considerable progress in strengthening financial stability, in particular with regard to the budget deficit and the fact that the public debt was below the level laid down by the Maastricht criteria;encouraged Serbia to step up efforts to increase both public and private investment and deliver on other reforms presented in the Economic Reform Programme, in particular in the areas of fiscal rules, energy markets, tax administration, state aid control and labour taxation; underlined the paramount role of small and medium-sized enterprises (SMEs) for Serbia’s economy and the importance of the existence of the support programmes for their development, particularly in the field of IT and digital economy; welcomed the steady improvement of conditions for doing business; commended Serbia for setting up a new system of dual and vocational education in order to address youth unemployment and underlined the importance of rolling out this system in cooperation with other stakeholders;
4. Welcomed the opening of negotiating chapters 6 (company law) and 30 (external relations), which should help consolidate Serbia's reforms to improve the business environment and growth by further increasing trade flows; noted that company law is particularly important for stimulating competitiveness and integrating Serbian businesses in the EU internal market, noted, however, several renumbering of article on "abuse of responsible position" (art 227) in the criminal code; noted that under the external relations chapter Serbia committed to fully participating in the EU commercial policy as of the date of accession and that it needed to accomplish the process of WTO accession;
5. Reiterated its call on Serbia to progressively align its foreign and security policy with that of the EU, in line with the requirements of its candidate status and that of the Stabilisation and Association Agreement; welcomed Serbia's participation in four EU CSDP missions and operations and in the roster of the EU Battle Groups, as well as its cooperation in combating terrorism threats, irregular migration and organised crime and the joint activities in the framework of the Partnership for Peace Program;
6. Noted that some progress has been made in the area of the judiciary; underlined the need for further reforms guaranteeing separation of powers and strengthening independence of the judiciary, based on a wide and inclusive consultation process; welcomed that relevant draft amendments to the Constitution were submitted to the Venice Commission; stressed that the assessment of the Venice Commission should be clearly reflected in the revised draft amendments, in order to reduce the scope of political influence over the judiciary, in the process of appointment of judges and prosecutors; commended the reduction of the backlog of cases and the introduction of measures to harmonise court practices, noted, however, the lack of random allocation of cases in all courts; called on the authorities to fully implement the objectives and measures set out in the action plan for chapter 23, including the legislation on Free Legal Aid and protection of personal data;
7. Called on Serbia to step up the implementation of the national anti-corruption strategy and the action plan and called for the establishment of an initial track record of investigations, prosecutions and convictions in high-level cases of corruption and expected adoption of the new law on the Anti-Corruption Agency, without further delay; welcomed Serbia’s active role in international and regional police and judicial cooperation, the progress made in the fight against organized crime and the adoption of Serbia’s first national Serious and Organised Crime Threat Assessment (SOCTA);
8. Stressed the importance of the parliamentary dimension in the EU accession process, as well as the mutual cooperation between national parliaments’ working bodies and the European Parliament; noted that frequent use of urgent procedures and other parliamentary practices can undermine parliamentary effectiveness, quality and transparency of the law-making process, while not always allowing for sufficient stakeholder and wider public consultation; underlined that the parliament’s oversight function is highly important in this process and that continuous cooperation with Civil Society Organisations (CSOs) can additionally strengthen it vis-à-vis the executive; welcomed the measures taken to improve transparency and the consultation process, including public hearings, regular meetings and consultations with the National Convention on the European Union (NCEU), as an important part of the negotiation procedure; and commended the cooperation among relevant parliamentary committees, as well as between the European Integration Committee and the NCEU*;*
9. Noted that some progress has been made in accordance with OSCE/ODIHR recommendations from previous elections; stressed the need to fully implement remaining recommendations of the OSCE/ODIHR Election Observation Mission final report, addressing its priority recommendations in the first place;
10. Underlined that the legislative and institutional framework for observance of international human rights law is in place; stressed that consistent implementation of that framework across the whole country is needed and in this regard supported further implementation of the action plan for the rights of national minorities, and all sustained efforts to improve the situation of persons belonging to vulnerable and minority groups, especially in the field of education, official use of languages, minority media and culture as well as adequate representation at all levels of public administration and judiciary; welcomed that the Government adopted and submitted to parliamentary procedure crucial proposals on the framework of minority rights, especially on the Law on National Councils of National Minorities; welcomed the establishment of good cooperation by the Council of the Republic of Serbia for National Minorities with national minority councils and the fact that the funding of the Fund for National Minorities had been increased; strongly supported the progress made in the area of education of minorities and welcomed the memoranda of understanding with eight national minority councils on publication of the textbooks in minority languages; supported the pro-active promotion of a culture of inclusion and tolerance; welcomed organisation of the Belgrade Pride during previous years; supported activities on the adoption of the Law on Gender Equality;
11. Reiterated the importance of freedom of expression and media and again called for more progress in this regard; stressed the importance of prevention of any possible threats, violence and intimidation against journalists and in this regard welcomed the Agreement on Cooperation and Measures for Improvement of Security of Journalists between the Prosecution, Ministry of Interior and media associations; called for decisive improvement of the situation regarding freedom of expression, noted claims about self-censorship of the media; called for the full implementation of media laws; welcomed the initiative to redraft the media strategy in an inclusive manner; called for the improvement of the culture of journalism and strengthening self-regulatory system, and consistent work of the Regulatory Authority for Electronic Media; underlined the importance of complete transparency in media ownership and funding of media;
12. Called on Western Balkan partners to continue to promote a climate of respect and tolerance and condemned all forms of hate speech, crimes against humanity and war crimes; stressed that full cooperation with the Mechanism for International Criminal Tribunals (MICT) remains essential; called for war crimes to be handled without any discrimination, addressing impunity and ensuring accountability; commended the coordination mechanism between war crime prosecutors of Serbia, Croatia and Bosnia and Herzegovina and urged all authorities to continue working on the issue of the fate of missing persons, locating mass graves and guaranteeing the rights of victims and their families; encouraged the openness of the Serbian authorities to discuss and overcome open bilateral issues through dialogue; noted Serbia’s active participation in a number of regional cooperation initiatives;
13. Expressed further support for increased regional cooperation under the "Berlin Process", including on reconciliation, which will be prominently on the agenda of the London Summit; welcomed the results of the WB6 process so far and called for the further development of the Regional Economic Area (REA); welcomed the unequivocal support to the European perspective of the Western Balkans reaffirmed at the Sofia Summit on 17 May 2018, as well as the adoption of the Sofia Declaration; recalled the statement that the EU was determined to strengthen and intensify its engagement at all levels to support the region's political, economic and social transformation, including through increased assistance based on tangible progress in the rule of law, as well as in socio-economic reforms, by the Western Balkan partners; strongly supported the Western Balkans partners’ pledge to continue strengthening good neighbourly relations, regional stability and mutual cooperation.